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ABSTRACT

Ways in which schools, law enforcement agencies and communities can work together to develop strategies to effectively reduce truancy are provided in this handbook. Areas covered include: (1) a definition of truancy; (2) a truant profile; (3) strategies for dealing with a truant; (4) suggestions for components of truancy reduction programs; and (5) brief descriptions of student-centered, discipline-oriented and support programs. Sections of the California Education Code are often cited when describing procedure and policy. Five pages describe the structure and intent of the School Attendance Review Board (SARB) and provide a flow chart showing the steps and departments involved in processing a referral. A summary of California Assembly Bill 3269 (Hart) and a truancy case decision appear in the appendices. (JW)

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TRUANCY REDUCTION

"THE HOOKY HANDBOOK"

EA 015901

School Safety Center
California Department of Justice
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For further information or additional
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MESSAGE FROM THE ATTORNEY GENERAL

Ever since Tom Sawyer skipped school for his adventures on the Mississippi River with Huckleberry Finn, truancy has been romanticized as a light-hearted act which students will inevitably engage in on bright sunny days. Consequently, truancy became an accepted, unresolvable and therefore unaddressed fact of life. Now, however, educators, law enforcement, legislators, parents, homeowners and communities are realizing the destructiveness of truancy and the necessity for taking preventive action against it.

The purpose of this publication is to encourage schools and communities to take an active role in truancy reduction through appropriate intervention measures. Schools, law enforcement and the community must work together to develop strategies which effectively impact on truancy through interagency cooperation.

Truancy victimizes youth. It often causes deficiencies in learning, problem-solving and coping skills, preventing a successful transition from youth to adulthood. Truancy is often symptomatic of social, personal and developmental stress that an individual, and often his/her family, is experiencing. It is often related to juvenile delinquency. A truant student typically has a low self-image and feels like a failure. He/she is alienated from society. If truancy patterns are not dealt with and corrected, the problem will escalate and acting-out behavior will increase. Ultimately, the truant may become a residential statistic in one of many correctional institutions throughout the state.

Truancy victimizes the community. As high as 65 percent of all daytime burglaries are committed by truants, according to the Office of the Auditor General (the Joint Legislative Audit Committee) 1978 report on attendance and absenteeism in California schools. In addition, truancy patterns have a high correlation with theft, shoplifting, vandalism and other acting-out, crime-related activities.

The element of student/parent responsibility and accountability is essential. The message "youths belong in school" should be reinforced with a combination of supportive and enforcement services. Parents and officials need to become just as creative in keeping youths in school, as youths are in staying out of school.

Truancy victimizes schools, through loss of ADA funds, apathy on the part of students and frustration on the part of teachers. Poor academic progress and numerous classroom interruptions detract from the quality of education.

School attendance is not optional, it is mandatory. Truancy is a multifaceted problem and requires equally diverse resources to deal with it. A substantial investment must be made in programs that encourage positive attendance. This publication lists approaches already proven to be effective and which can be implemented to reduce truancy.

Truancy can ruin lives. It involves more than just being absent from school. Chronically truant kids who "hang around" are often targets for pedophiles, as well as other forms of crime and victimization. Serious risk and harm is inherent to truancy. Preventive action must be taken now.

George Deukmejian
Attorney General
State of California

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TRUANCY DEFINED

There is a widespread misconception that youngsters can voluntarily quit school when they reach age 16. This is not true. Except under certain provisions (Education Code Section 48410), the legal age for leaving school is 18.

Full-time school attendance is compulsory for California youths between the ages of 6 and 16 (Education Code Section 48200). Youths 16 years of age or older and under 18 years of age are required to at least attend continuation education classes or regional occupational center programs. If they are employed, a minimum schedule program is permitted (Education Code Section 48400). Youths who are aged 16 or older or who have completed the tenth grade can be exempted from compulsory attendance by passing the California High School Proficiency Exam (Education Code Section 48412).

Section 48260 of the Education Code states:

> "Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse more than three days or tardy in excess of 30 minutes on each of more than three days in one school year is a truant and shall be reported to the attendance supervisor or to the superintendent of the school district."

Section 48261 of the Education Code states:

> "Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

Section 48262 of the Education Code states:

> "Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261."

There is no question - the Legislature intends for California youths to attend school.

PROBLEM PROFILE

According to a National PTA study, each day some two and a half million enrolled students are absent from school. Another two million are not even enrolled. Absenteeism rates of 10 to 15 percent are not uncommon in some urban areas, and some schools currently report absenteeism rates of 30 percent or higher. ("Where Have All the Students Gone?", National PTA, Chicago, Illinois, 1976.)

In 1978 the Office of the Auditor General (the Joint Legislative Audit Committee) prepared a comprehensive report on attendance and absenteeism in California schools. Some findings of the report include:

- Actual levels of classroom attendance were 90.8 percent of enrollment in elementary schools, 87.7 percent in junior high schools and 81.4 percent in senior high schools.
- Attendance problems began as early as kindergarten.
- The administration of attendance laws and regulations by the Department of Education has been deficient.

The most frequently cited causes for absenteeism include:

- Illness.
- Dislike or boredom with school.
- Social adjustment problems.
- Academic problems.
- Family or personal business.
- Influence of friends.
- Lack of authority for enforcing attendance laws.
- Absence of parental concern or control.

Linda Bond, Senior Consultant to the Assembly Education Committee, stated that a recent report by the Auditor General's Office indicated statewide truancy runs as high as 29 percent in some areas. Only 6 percent can be attributed to illness.

A recent state Department of Education study shows more students will be refused diplomas in June because they have not met course requirements than because they failed competency tests. If kids don't go to school, it's very difficult to achieve.

In 1980, C. Catherine Camp (the Assembly Office of Research) issued a report on school dropouts. Some findings of that report include:

- The school dropout rate among 12-to-17-year-olds in California is running *three times* the national average.
- Approximately 200,000 California children ages 12 to 17 are not enrolled in public or private schools.
- As a major activity, 4.6 percent of children ages 12 to 17 were working, 87.1 percent were in school and 8.3 percent were housekeeping, looking for work or "other."
- There has been an 83 percent increase over the last 10 years in the number of students who start school, but do not finish.

- Most out-of-school youths are over 14 years old. Upon reaching high school, the number of children leaving school increases sharply.

The report also indicated that:

- Quitting school can be the result of a complex set of factors which can be reduced to two common themes:
  - Those forces within the school which create student dissatisfaction and alienation leading to a feeling of being "pushed out"; and
  - Those forces outside the school which attract students away from school, such as jobs, marriage and childbearing.
- Dropping out of school is usually preceded by irregular attendance and truancy. For many young people, the association with school becomes so minimal that it is no longer their major activity, although they remain technically enrolled.

In terms of a solution, the report suggested that the educational system must begin to adequately gauge and provide early intervention for those students whose growing dissatisfaction with school culminates in their nonattendance or dropping out. Schools must accommodate students with a variety of needs by providing an environment with diverse learning opportunities, teaching styles and formats. In addition, the following elements are critical to the success of any program aimed at reducing dropouts and improving attendance:

- Students need diplomas which reflect diverse achievement. Current testing and standards for graduation tend to focus on a narrow range of academic competencies, with very few "life skills" being provided.
- Local agencies should determine what programs suit local needs, and then assume responsibility for carrying out programs to meet those needs.
- State administrative and legislative bodies should set goals, define state and local roles, and provide technical assistance and coordination among programs.
- Specific goals to reduce dropouts and increase attendance need to be assigned to local schools and such goals should be established and monitored from the state level.

STRATEGY FOR DEALING WITH TRUANCY

Throughout the state, there are many school districts and communities effectively reducing truancy. Some schools treat absenteeism directly by strengthening truancy enforcement policies; others deal with it as a symptom of other fundamental problems. Many of the most successful policies combine these strategies and incorporate the following:

Clear policy:

- Attendance expectations are clearly specified, as are the consequences of good and poor attendance.
- Public education and related efforts are undertaken to create an awareness of the absenteeism problem within a community.
- Policies are well-publicized and involve parents and students; their formulation has a broad base of participation.

Consistent enforcement:

- A system is established for notifying the parents of an absence, and the responsibility for attendance is placed on students and parents.
- After all other available tactics fail, the school attendance review board (SARB), the district attorney, the probation department and the Department of Social Services cooperate to file petitions against truants and their parents.
- A truancy reduction program to return truants to schools or counseling centers is developed in cooperation with local law enforcement.

Positive support programs:

- A plan is developed for interagency case management (in cooperation with representatives from youth-serving agencies, law enforcement, probation and other significant school personnel) to provide counseling, guidance and other services necessary to return the student to the classroom successfully. SARB legislation requires and facilitates this strategy.
- School options are increased to provide satisfying experiences for all students. These include, for example, work experience, contract/independent study, regional occupational centers, alternative schools and opportunities for nontraditional learning experiences now provided for in the Education Code.
- An environment is created which recognizes the diverse personalities and learning styles of young people.
- There is early detection of and intervention with truants; emphasis on positive attendance begins from the first day of kindergarten.
- There is cooperation and coordination between the schools and the private sector. For example, businesses offer programs to train and assist young people with their transition into employment.

Most local agencies do not need more laws, regulations or even more money. Legislation already exists providing ample regulations and resources to deal with the problem of truancy. Rather, they need to focus their efforts to (1) establish a valid attendance policy; (2) identify youths who are experiencing problems; (3) develop and conduct enforcement and support programs to reduce truancy.

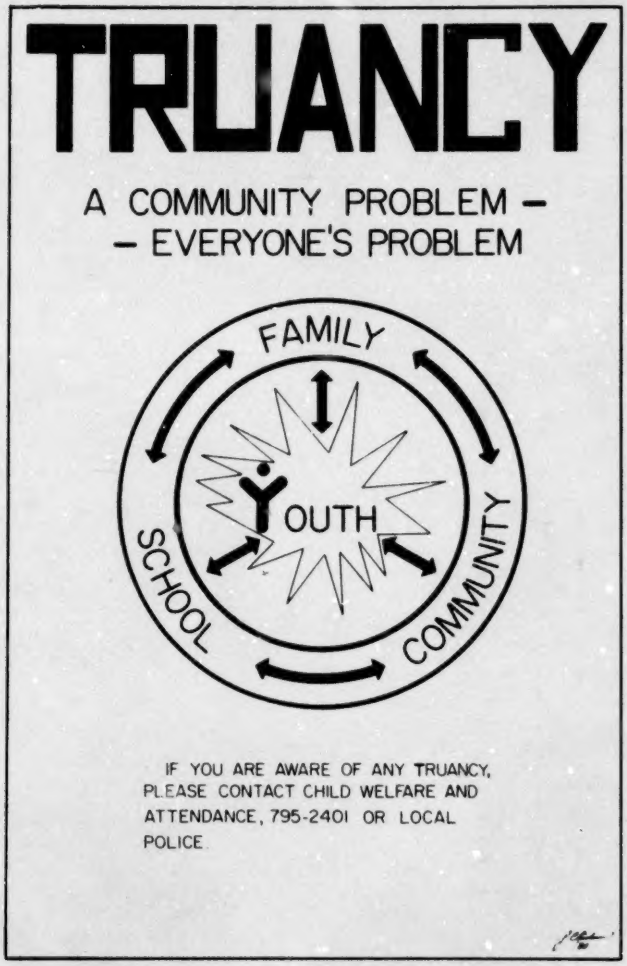
TRUANCY REDUCTION PROGRAMS

Clear policies

It is up to each school district to formulate clear, consistent attendance policies. The most effective efforts include all components of the school district population in the formation and support of these policies. Students, parents, teachers and administrators should all participate in improving school attendance patterns.

Once formulated, attendance expectations and the consequences of absenteeism should be clearly stated and well publicized.

In addition to parent, school and law enforcement cooperation, truancy should become a community responsibility. Several communities have notified businesses, such as stores, bowling alleys, malls, etc., as to truancy laws. Such education has aided in clearly reducing the incidence of and opportunity for truancy.



Attendance-taking procedures

Before any action can be taken, the problem must be identified. This involves instituting efficient attendance-taking procedures. Often, the most effective means of verifying student attendance is to take roll each class. Often, roll is only taken first or second period, and it does not accurately represent the rate of attendance. Also, students are often aware of this and they manipulate the system. (Title 5 of the Administrative Code requires attendance to be taken every period.)

Parents should be notified immediately, if possible, if their children are not in school. Paid or volunteer staff could be assigned to make follow-up phone calls at night, if such cannot be done during the day.

Some districts have implemented computerized attendance, which has proven to be cost effective, as well as a valuable source of information leading to early detection and intervention.

Absences should be carefully monitored and patterns of nonattendance should be identified early and dealt with *immediately*.

In an effort to increase accuracy, streamline accounting procedures, avoid duplication and stop kids from being lost in the system, a junior high school in Oakland has developed a unique attendance system. The highlights of the system are:

- It is noncomputerized, yet systematic, and retains what the school refers to as the "human aspect."
- The data is centralized and made available through cards, which contain profile information on discipline, counseling attendance, study programs, registration cards, test scores and report cards. Information can be correlated with all aspects of student performance in mind.
- The information is accessible to all teachers, and they, as well as the counselor, are expected to familiarize themselves with students' problems, to monitor and update the cards, as well as to take responsibility for follow-up of nonattendance.
- In-service training is provided on the mechanics of the program, and all staff work in the process. This contributes to maximum consistency.
- When a student returns to school, a counselor checks him/her back into school at the attendance office window. All updated information as to other possible problem areas is available at that time, and further follow-up can then be initiated if necessary.
- Once a problem is identified, the matter, if necessary, is referred to a school attendance review team (SART). A parent is in charge of this and a contract is set up, with administrator, team, youth and parent responsibility assigned accordingly. There is a 30-day follow-up, and if all alternatives fail, the matter then is referred to county SARB or other appropriate agencies.

The system requires that the youth own up to his/her problem, which helps the youth see himself/herself. The secondary benefit of this system is the youth is back in school, which brings more money back to the district through ADA. Everyone benefits through this total system.

Consistent enforcement

A truant student can be stopped and taken into custody if he/she is not in school during hours of operation, as provided by the following code sections:

Section 48264 of the Education Code states:

"The attendance supervisor, a peace officer, or any school administrator or his designee, may arrest or assume temporary custody, during school hours, of any minor subject to compulsory full-time education or to compulsory continuation education found away from his home and who is absent from school without valid excuse within the county, city, or city and county, or school district."

Section 625(a) of the Welfare and Institutions Code states:

"A peace officer may, without a warrant, take into custody a minor:

"(a) Who is under the age of 18 years when such officer has reason to believe that such minor is a person described in Sections 300, 601, or 602, ..."

(A truant student falls under Section 601 of the Welfare and Institutions Code - also see Appendix B.)

There is some debate among parents, school administrators and other school and community members with respect to law enforcement assuming custody of truants. Some feel this is a punitive measure and one designed to harass youngsters. However, statistics indicate the serious implications of truancy and the need for such *preventive* action by law enforcement and schools.

Procedural guidelines for handling truants in custody are delineated in the following codes. It is at this stage that effective interagency case management becomes important. Cooperation among school officials, SARB, law enforcement, probation and other youth agency personnel can result in much more effective responses. Utilized properly, these resources can assist in successfully returning a student to the classroom.

Section 48265 of the Education Code states:

"Any person arresting or assuming temporary custody of a minor pursuant to Section 48264 shall forthwith deliver the minor, either to the parent, guardian, or other person having control, or charge of the minor or to the school from which the minor is absent, or to a nonsecure youth service or community center designated by the school or district for counseling prior to returning such minor to his home or school, or to a school counselor or pupil services and attendance officer located at a police station for the purpose of obtaining immediate counseling from the counselor or officer prior to returning or being returned to his home or school, or, if the minor is found to have been declared an habitual truant, he shall cause the minor to be brought before the probation officer of the county having jurisdiction over minors."

Section 48266 of the Education Code states:

"Any person taking action pursuant to Sections 48264 and 48265 shall report the matter, and the disposition made by him of the minor to the school authorities of the city, or city and county, or school district and to the minor's parent or guardian."

Section 207(c) of the Welfare and Institutions Code states:

"(c) A minor taken into custody upon the ground that he is a person described in Section 601, or adjudged to be a ward of the juvenile court solely upon that ground, may be held in a secure facility, other than a facility in which adults are held in secure custody, in any of the following circumstances:

"(1) For up to 12 hours after having been taken into custody for the purpose of determining if there are any outstanding wants, warrants, or holds against the minor in cases where the arresting officer or probation officer has cause to believe that such wants, warrants, or holds exist.

"(2) For up to 24 hours after having been taken into custody, in order to locate the minor's parent or guardian as soon as possible and to arrange the return of the minor to his parent or guardian.

"(3) For up to 24 hours after having been taken into custody, in order to locate the minor's parent or guardian as soon as possible and to arrange the return of the minor to his parent or guardian, whose parent or guardian is a resident outside of the state wherein the minor was taken into custody, except that such period may be extended to no more than 72 hours when the return of the minor cannot reasonably be accomplished within 24 hours due to the distance of the parents or guardian from the county of custody, difficulty in locating the parents or guardian, or difficulty in locating resources necessary to provide for the return of the minor."

Those communities which have such programs as Stop and Cite, Operation Stay in School, etc., have significantly *decreased daytime crime*, such as burglary, which is truancy related. They have *increased attendance* and ADA funds, which generate more state revenue for educational purposes.

The components of such programs are:

- Cooperative efforts between schools and law enforcement to enforce truancy laws. Some schools conduct "truancy sweeps" on a random basis. Times and days are chosen for law enforcement to "sweep" areas of the city and pick up truants. This is accompanied by media exposure and, once again, emphasizes the importance of staying in school.
- Truant is apprehended and brought to a reception center and interviewed by appropriate school personnel; or he/she is delivered back to school, where contact is made with the principal or vice principal.
- A contact is made with the parents, who are requested to come and return their child to school.

- If the parents and student indicate there are other problems, a referral is made to the appropriate public or private agency.
- The student is referred for follow-up to the pupil service counselor assigned to the student's school.
- If there is a second incident, the same procedure is followed (all these incidents are documented).
- Upon the third incident, the student is then an habitual truart. Appropriate SARB or SART action is initiated. Action may include counseling, program modification or other diagnostic/remediation services as needed.
- If this intervention is unsuccessful and/or the participants fail to respond to the directives of SARB, further action is taken at the county level. (See Flow Chart, page 14.)
- SARB can then take appropriate court action if necessary. (See Flow Chart, page 14.)

Section 48293 of the Education Code states:

"(a) Any parent, guardian, or other person having control or charge of any pupil who fails to comply with the provision of this chapter, unless excused or exempted therefrom, is guilty of an infraction, and shall be punished as follows:

"(1) Upon conviction, by a fine of not more than one hundred dollars ($100).

"(2) Upon a second or subsequent conviction, by a fine of not more than two hundred fifty dollars ($250).

"(3) In lieu of imposing the fines prescribed in paragraphs (1) and (2), the court may order such person to be placed in a parent education and counseling program.

"(b) A judgment that a person convicted of an infraction be punished as prescribed in subdivision (a) may also provide for the payment of the fine within a specified time or in specified installments, or for participation in the program. A judgment granting a defendant time to pay the fine or prescribing the days of attendance in a program shall order that if the defendant fails to pay the fine, or any installment thereof, on the date that it is due, or fails to attend a program on a prescribed date, he or she shall appear in court on that date for further proceedings. Willful violation of the order is punishable as contempt."

The following is an interesting story pertaining to parental liability for not enforcing compulsory attendance laws:

PARENTS ARE FINED $24,100 FOR CHRONICALLY TRUANT SON

Frederick, MD. (UPI) - A judge who was greeted by a blank stare when he asked a 15 year old boy why he missed 241 days of school since 1979 has fined the boy's parents $24,100 and threatened them with a jail term. (*Sacramento Bee*, January 25, 1981.)

RESOURCES

School attendance review board

SARB's exist in every county, as mandated by the California Legislature. The following Education Code sections explain the purpose and structure of these boards:

Section 48320 - Intent

"(a) In enacting this article it is the intent of the Legislature that intensive guidance and coordinated community services shall be provided to meet the special needs of pupils with school attendance problems or school behavior problems.

"(b) Any school attendance review board, established pursuant to this article, which determines that available public and private schools are insufficient or inappropriate to correct school attendance or school behavior problems of minors shall:

"(1) Propose and promote the use of alternatives to the juvenile court system.

"(2) Provide, in any proposed alternative, for maximum utilization of community and regional resources appropriately employed in behalf of minors prior to any involvement with the judicial system.

"(3) Encourage an understanding that any alternative based on the utilization of community resources carries an inherent agency and citizen commitment directed toward the continuing improvement of such resources and the creation of resources where none exist."

Section 48321 - Structure

"(a) There is in each county a county school attendance review board. The county school attendance review board shall include, but need not be limited to, a parent and representatives of (1) school districts, (2) the county probation department, (3) the county welfare department, and (4) the county superintendent of schools. The school district representatives on the county school attendance review board shall be nominated by the governing boards of school districts and shall be appointed by the county superintendent of schools. All other persons and group representatives shall be appointed by the county board of education.

"(b) Local school attendance review boards may include but need not be limited to a parent and representatives of (1) school districts, (2) the county probation department, (3) the county welfare department, and (4) the county superintendent of schools. Other persons or group representatives shall be appointed by the county board of education.

"(c) The county school attendance review board shall elect pursuant to regulations adopted pursuant to Section 48324 one member as chairman with

responsibility for coordinating services of the county school attendance review board.

"(d) The county school attendance review board shall provide for the establishment of local school attendance review boards in such number as shall be necessary to carry out the intent of this article.

"(e) The county school attendance review board shall provide consultant services to, and coordinate activities of, local school attendance review boards in meeting the special needs of pupils with school attendance or school behavior problems.

"(f) When the county school attendance review board determines that the needs of pupils as defined in this article can best be served by a single board, the county school attendance review board shall then serve as the school attendance review board for all pupils in the county, or, upon the request of any school district in the county, the county school attendance review board may serve as the school attendance review board for pupils of that district.

"(g) Nothing in this article is intended to prohibit any agreement on the part of counties to provide such services on a regional basis."

Section 48263 - Student referral

"If any pupil in any district of a county is a habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board. The supervisor of attendance, or such other persons as the governing board of the school district or county may designate, making such referral shall notify the minor and parents or guardians of the minor, in writing, of the name and address of the board to which the matter has been referred and of the reason for such referral. The notice shall indicate that the pupil and parents or guardians of the pupil will be required, along with the referring person, to meet with the school attendance review board to consider a proper disposition of the referrals.

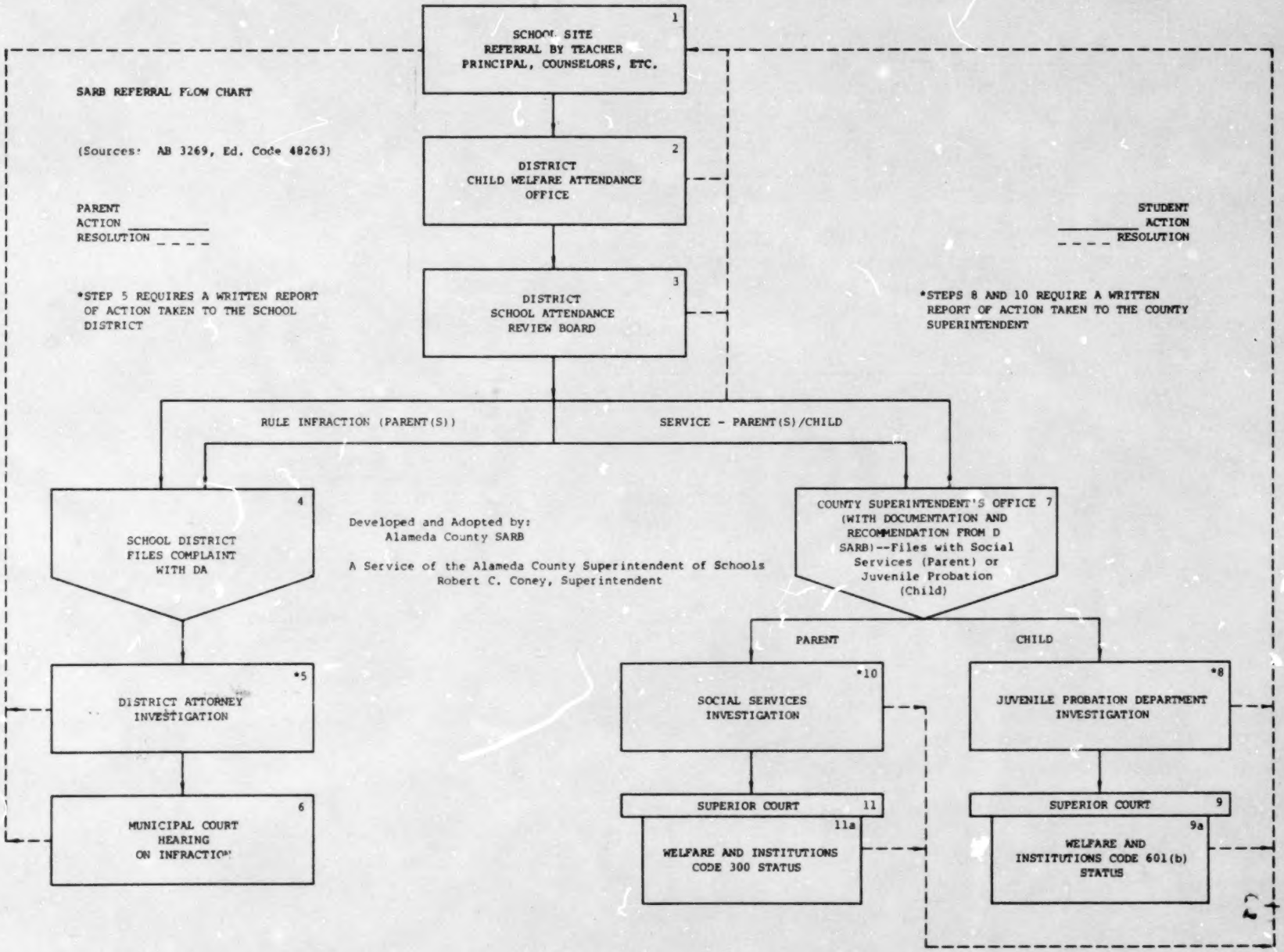
"If the school attendance review board determines that available community services can resolve the problem of the truant or insubordinate pupil, then the board shall direct the pupil or the pupil's parents or guardians, or both, to make use of such community services. The school attendance review board may require, at such time as it determines proper, the pupil or parents or guardians of the pupil, or both, to furnish satisfactory evidence of participation in the available community services.

"If the school attendance review board determines that available community services cannot resolve the problem of the truant or insubordinate pupil or if the pupil or the parents or guardians of the pupil, or both, have failed to respond to directives of the school attendance review board or to services provided, the school attendance review board may direct the county superintendent of schools to, and, thereupon, the county superintendent of schools shall, request a petition on behalf of the pupil in the juvenile

court of the county. Upon presentation of a request for a petition on behalf of a pupil, the juvenile court of the county shall hear all evidence relating to the request for petition. The school attendance review board shall submit to the juvenile court documentation of efforts to secure attendance as well as its recommendations on what action the juvenile court shall take in order to bring about a proper disposition of the case."

One complaint frequently registered against SARB's is that they have "no teeth," and are therefore "ineffective." There are, however, many successful SARB's throughout the state. They are organized in a case-management framework and they utilize school guidance teams, SART's or other preliminary resources to deal with cases more efficiently. These boards are managed in a way that promotes maximum utilization of time and all existing resources. They have established a rapport with the district attorney, the probation department and other resource agencies so that immediate action is taken when necessary. They also possess the diverse representation required to make appropriate dispositions of cases referred to them. Some successful programs also use SARB coordinators, whose sole responsibility is the smooth operation of the boards in their districts or counties.

On January 1, 1981, a comprehensive attendance improvement bill went into effect. The bill, Assembly Bill 3269, was coauthored by Assemblyman Gary Hart and Senator Jim Nielsen, with support from Assemblymen Floyd Mori and Tom Bates and Assemblywoman Jean Moorhead. This bill changed and supplemented current laws providing better tools for administrators, school boards, parents, teachers and SARB to improve attendance. One major change gave SARB "teeth" to intervene on behalf of students. Below is a flow chart of services developed by the Alameda County SARB, which provides a framework for initiating action. (A summary of the major components is included in Appendix A of this publication.)


SARB REFERRAL FLOW CHART
(Sources: AB 3269, Ed. Code 48263)
PARENT
ACTION
RESOLUTION
*STEP 5 REQUIRES A WRITTEN REPORT OF ACTION TAKEN TO THE SCHOOL DISTRICT
STUDENT
ACTION
RESOLUTION
*STEPS 8 AND 10 REQUIRE A WRITTEN REPORT OF ACTION TAKEN TO THE COUNTY SUPERINTENDENT
1
SCHOOL SITE
REFERRAL BY TEACHER
PRINCIPAL, COUNSELORS, ETC.
2
DISTRICT
CHILD WELFARE ATTENDANCE
OFFICE
3
DISTRICT
SCHOOL ATTENDANCE
REVIEW BOARD
RULE INFRACTION (PARENT(S))
SERVICE - PARENT(S)/CHILD
4
SCHOOL DISTRICT
FILES COMPLAINT
WITH DA
Developed and Adopted by:
Alameda County SARB
A Service of the Alameda County Superintendent of Schools
Robert C. Coney, Superintendent
COUNTY SUPERINTENDENT'S OFFICE 7
(WITH DOCUMENTATION AND
RECOMMENDATION FROM D
SARB)--Files with Social
Services (Parent) or
Juvenile Probation
(Child)
PARENT
CHILD
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DISTRICT ATTORNEY
INVESTIGATION
*10
SOCIAL SERVICES
INVESTIGATION
*8
JUVENILE PROBATION DEPARTMENT
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6
MUNICIPAL COURT
HEARING
ON INFRACTION
SUPERIOR COURT 11
11a
WELFARE AND INSTITUTIONS
CODE 300 STATUS
SUPERIOR COURT 9
9a
WELFARE AND
INSTITUTIONS CODE 601(b)
STATUS

Child welfare and attendance supervisors

The Education Code section cited below mandates that each school district appoint a supervisor of child welfare and attendance who is specially certificated to fulfill the needs of children. These needs include, but are not limited to, problems of school adjustment, attendance and home/school/community relations.

Section 48240 - Appointment of attendance supervisor

> "The board of education of any school district and of any county shall appoint a supervisor of attendance and such assistant supervisors of attendance as may be necessary to supervise the attendance of pupils in the district or county. The board shall prescribe the duties of the supervisor and assistant supervisors of attendance, not inconsistent with law, to include among other duties that may be required by the board, those specific duties related to compulsory full-time education, truancy, work permits and compulsory continuation education now required of such attendance supervisors by this chapter and Article 4 (commencing with Section 48450) of Chap. 3 & Article 2 (commencing with Section 48630) of Chapter 4 of this part."

Generally, child welfare and attendance supervisors are concerned and involved in the following areas:

- School Attendance Review Boards.
- Nonattendance, grades K-12.
- Tardiness.
- Referral to probation department and juvenile court.
- Referrals to district/city attorney.
- Child neglect and abuse.
- Work permits.
- Labor law violations.
- Continuation education.
- Opportunity school, classes or programs.
- Occupational training center programs.
- Home and institutional placements.
- Referral by nonschool persons.
- Liaison with local law enforcement.
- Liaison with correctional schools.
- Liaison with probation and parole.
- Liaison with welfare department.
- Liaison with federal programs.
- Liaison with community organizations.
- Immigration status of pupils.
- "Inter and intra" district transfers.
- School guardianships.
- Exemption, exclusion, expulsion and suspension procedures.
- Emotionally disturbed.
- Behavior disorders.
- Academic underachievement.
- Services to unwed parents.
- Dropout, delinquency and crime prevention.

POSITIVE ALTERNATIVES/APPROACHES

It cannot be emphasized enough that the key to successful attendance programs is the coordinated and cooperative effort of all associated agencies and parents at every phase of the process.

Attendance policies are only as effective as their enforcement, and truancy enforcement is only as effective as the follow-up programs. Without meaningful and appropriate guidance, counseling and support efforts, the problem is not effectively handled.

The following are examples of successful support programs, some of which are aimed at prevention, and others at problem solving.

SUPPORT PROGRAMS:

Student service centers

These are facilities which are centrally located on campus. The staff members consist of a probation officer, a school counselor, a mental health or social service counselor, a law enforcement diversion or school resource officer and other clerical staff. All members are oriented in a teamwork atmosphere and receive enthusiastic support from the school, district administration and the community.

The service centers attempt to prevent or limit a juvenile's penetration into the justice system. This means dealing with problems at an early intervention level, and having resources available on a consistent and tangible basis when needed for youths. The results are that students do not feel alienated from school, nor the need to get away from it.

Program for dropouts

These programs are designed to retrieve dropouts and provide them with an individualized curriculum, either in the day or evening, to assist in completing minimum high school requirements. Increases in self-esteem, academic success and attendance help maintain enrollment of identified potential dropouts. Strategies used to change unsuccessful behaviors include: peer counseling, attendance monitoring, parent counseling and classroom guidance. The classroom counselor coordinates the efforts of parents, peers, teachers and community members to help students develop and implement their own success objectives.

Raising school attendance

The goal of these programs is to be personal and positive when dealing with chronic absentees, and to raise the consciousness of both pupil and parent in understanding the value of consistent attendance. These programs are flexible, finding new ways the child can fit into the system, rather than making him/her continually conform to something to which he/she cannot adjust. Possible alternatives include a minimum-day schedule; adaptive physical education classes; or special education classes to address learning difficulties.

Usually some adaptation can be made that will make school attendance more appealing to the student.

These programs seek to help the student find success in school in whatever way possible. The key to their success is in working with the community and home.

Truancy incentive program

These programs involve the use of incentive awards to encourage individual schools to take an active role in truancy reduction. Students and the community are rewarded monetarily for their success. For instance, a school that improves attendance by 2 percent will receive one-half of additional funds received from the state for use at the local school. Also, awards can be presented to classes with best overall attendance records.

School student pay program

This type of program has received much criticism for its novel plan to pay students a quarter a day for class attendance. Students are not paid money for their attendance, but are given credits of up to $5 per month. These credits can be used to buy school supplies, such as notebooks, pencils, books, gym clothes, tickets to dances, field trips - and even alarm clocks so they won't be late to class. Despite much wrath from letters and newspaper editorials, the program makes money for the school district and has reduced truancy.

Community-centered classroom

These programs are designed to motivate, assist and involve youths and their families who are not being served by the regular program. They serve students who have been expelled, those referred from school attendance review boards and the courts, those with truancy problems, those who are in the expulsion process or those for whom there are no other feasible educational options. These programs focus on:

- Flexibility.
- Individual attention.
- Development of self-awareness.
- Academic and vocational skills training.
- Positive group cohesiveness.
- Support services from the community.

This is accomplished through an academic program, parent participation and community involvement.

School within a school

These programs are designed to offer alternative education within an already existing school. The goals are to: (1) better correlate the learning process to everyday living experiences, (2) provide more individualized attention and a closer teacher/student relationship, (3) involve the parents, students and teachers, and (4) provide alternatives for those who are alienated or "turned off" to school. Student credit is achieved through a series of contracts

mutually decided upon by the teacher and student. Students are motivated because they are involved in the process.

School attendance review teams

These are actually mini-school attendance review boards where problems are detected at an early stage. The dean of students or assistant principal, school psychologist, counselor, teacher, student and other designated personnel meet to deal with special problem areas. The approach is case management and intervention, and the goal is to resolve a problem before it escalates. A course of action is agreed upon by all participants, a contract is signed by all involved and a weekly monitoring system is implemented. The course of action could include counseling, academic and social diagnostic testing, alternative education options or further referral to the school attendance review board or law enforcement.

Student/family resource centers

These programs supply support services to students and their families and may include counseling, parent effectiveness training, health services and other educational and resource services. They provide alternatives outside of the "system" and are community-based. They do, however, work closely with schools and other agencies and often function in a liaison capacity. These centers can be operated on Saturdays to facilitate the parent or guardian accompanying the student to participate in a family communication problem, in addition to providing supervised study to make up work missed because of truancy or excessive absenteeism.

Vocational training

These programs are geared toward combining academic course work with actual on-the-job experience. They provide skills necessary for career planning and job exploration and are geared to an individual student's motivation and responsibility level. They integrate the learning with the all-important experience aspect. This has proven to be successful in keeping youths interested and attending school.

Truancy reduction task force

The task force is comprised of school and community members and is charged with setting goals and determining the needs of the school. These committees meet regularly with the staff to formulate site-specific control strategies. The State Department of Education established a task force in the fall of 1981, in response to Assembly Bill 3269 (Hart, 1980) requirements. This task force must make recommendations to the Educational Management and Evaluation Commission, the Legislature and the State Board of Education.

Preventive guidance program

Every teacher is a counselor and an adult "friend in need" for about 25 students. The students see their adult adviser every day in a quiet reading session, and they gather once a week for intensive writing, discussion or acting out of likes and dislikes, feelings and problems. The teacher may

become a "go-between" for home and school problems. For those students who don't feel secure in telling all their troubles to an adult, the program includes peer counselors, as well as "cross-tutoring."

STUDENT-CENTERED PROGRAMS:

Peer counseling

These programs involve kids talking to kids. Students are specially trained in communication and listening skills and provide an excellent resource for those reluctant to talk to their teachers or counselors. Where this approach has been tried successfully, administrators indicate that eliminating adult participation leads to an open exchange among students. Placing the responsibility on youths to deter their fellow students from truancy helps to form positive attitudes for all involved. Often, peer counselors are involved with the student when he/she reenters school after an unauthorized absence.

Student involvement

The goals of such a program are: (1) to look to students - all kinds of students - to help make school a better place for learning, and (2) to train and involve students, particularly those not involved before, in real decision making about school policies and operations. The components of the program are:

- Focusing on natural student leaders (not just student body officers or honor students).
- Organizing those leaders to address and identify issues which contribute to tension and alienation on campus.
- To develop a leadership training class which meets as a regular class and provides skills necessary to become successful problem solvers and decision makers.

These leaders learn:

- How school decisions are made.
- What students' rights and responsibilities are.
- How to effect change.
- Planning skills.
- Social interaction skills.

Student involvement creates a process which allows those most directly affected by the school to participate in its improvement.

School advisory council

Several school districts have created student advisory councils which conduct workshops and small group discussions focusing on truancy prevention. These committees increase awareness of the school's problems, generate recommendations for action and give students an opportunity to participate in school decision making. School improvement plan (SIP) schools and bilingual education programs must now address attendance as a component of their plans under the direction of the school advisory councils. (Assembly Bill 3269, 1980.)

DISCIPLINE-ORIENTED PROGRAMS:

Success-oriented schools (SOS)/opportunity schools

SOS focuses on discipline. Five or six basic rules are agreed upon by the staff. There is also agreement and commitment for consequences resulting from violation of the rules. Staff is trained to apply discipline in a consistent manner. Students and parents are informed of the rules and consequences. SOS results in a few clear rules evenly enforced throughout the school.

Positive attendance for secondary schools

Under this program, a student, after a tenth truancy or tardiness, will be transferred from regular classes to a special class. The components of the class are as follows:

- The program's hours are 1 to 5 p.m. each day.
- Twice before the tenth truancy or tardiness, parents are contacted first by telephone and a follow-up letter, then with a request for a conference with school officials.
- Attendance in the special class will continue until a student completes 10 consecutive days without a truancy or unexcused tardiness or until the end of the grading period.
- The student may not participate in extracurricular activities on campus while in the truancy class.

Alternatives to suspension

It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy or otherwise absent from assigned school activities (Education Code Section 48900).

Therefore, consideration should be given to available alternatives and any attendance plan should utilize all available resources. For instance, some districts have implemented a Saturday work program. Students spend four to six hours on Saturday working on campus or studying in classrooms. Parents and the student are given the option of participating in such a program in lieu of other school action. In-school work alternatives, such as students working in the attendance office to help keep records or assisting in other projects during breaks or after school hours, can also be effective.

School districts are also authorized to operate minimum day classes for suspended students to make up homework. ADA is collected for these classes. Classes often operate in the afternoons (12:30-4:30) as a further deterrent.

Alternatives emphasize accountability for actions and require a student meet certain expectations before returning to school. They are usually far more effective than suspensions or expulsions which simply cause the student to miss more school - which is often what students want in the first place.

CONCLUSION

The San Diego Association of Governments recently evaluated three federally funded projects designed to reduce truancy. (Truancy Project Evaluation Final Report - Executive Summary, July 1981.) Findings indicate that it may be unrealistic to expect the schools alone to impact truancy. However, schools can develop alternative approaches to truancy which focus on factors that can be impacted in the school setting (e.g., school performance, school conduct and peer associations). Community-based and government agencies can be used more extensively to deal with problems that cannot be adequately addressed by schools.

Despite the growing problem of truancy, it is evident that these problems can be and are being impacted. Many school districts throughout the state have developed innovative and alternative approaches to truancy. Many school districts have increased their ADA funds through truancy reduction, while communities have decreased daytime burglary rates associated with truancy 30-50 percent. Truancy is not an unresolvable fact of life.

The School Safety Center has resource information available about exemplary truancy programs and personnel resources throughout the state. We would like to share this information and help students, schools and communities from becoming victimized by truancy. If we can provide any assistance and coordination, please contact:

School Safety Center
Office of the Attorney General
555 Capitol Mall, Suite 290
Sacramento, California 95814

APPENDIX A

SUMMARY OF ASSEMBLY BILL 3269 (HART), EFFECTIVE JANUARY 1, 1981*

- Requires annual disclosure by the governing board of actual pupil attendance in the district.

- Requires SARB's to submit recommendations to the juvenile court on what action the court should take.

- Gives SARB's authority to:

  1. Direct the pupil and/or parent or guardian to make use of community services.
  2. Require pupil or parent to make use of such services.
  3. Document efforts to secure attendance to support reason for filing.
  4. Direct the filing of a request for petition when student does not respond to SARB directives.

- Requires that each annual school district audit include an audit of attendance procedures.

- Requires staff development on improving pupil attendance and drug education.

- Provides for a three-year pilot study with actual attendance as the basis for funding education programs with improvement incentives.

- Requires alleged violators of requirement to send children to school (district or city attorney referrals) to be referred first to SARB.

- Mandates a SARB to direct that the school district file a complaint in the proper court for failure to send child to school.

- Requires the district attorney or other proper authority who refuses to prosecute such complaint to provide SARB with a written explanation for the decision not to prosecute.

- Changes the violation from a misdemeanor to an infraction, thus permitting trial by judge rather than jury in re failure to send minor to school.

- Increases fines to $100 for the first conviction and $250 on subsequent conviction in such complaints against the parents.

- Permits court to order parent to participate in parent education or counseling in lieu of fine.

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*Excerpt from SARB Newsletter, Volume VII, No. 1, January 1981.

- Provides that willful failure to appear in court, pay fine or attend counseling program shall be a violation punishable as contempt.

- Requires bilingual education advisory committee to assist in making parents aware of the importance of regular attendance.

- Requires community advisory committee to assist in parent education by including in local plans parent awareness of the importance of attendance.

- Extends independent study to special education students with individual educational plans, and makes other independent study changes.

- Encourages adoption of pupil attendance policies that include:

  - notifying parents of pupil absences on each day of absence
  - increasing parent and pupil awareness of the importance of regular attendance
  - auditing and accountability of pupil attendance
  - staff development for certificated and classified personnel on attendance improvement
  - alternative learning programs to respond to the different ways pupils learn
  - joint efforts between law enforcement and schools to return truant pupils to school

The intent of the Legislature is that all schools develop procedures to ensure that students attend school for the entire day and that all pupils for whom ADA is collected be in attendance for at least the minimum day.

APPENDIX B

SUMMARY OF TRUANCY CASE DECISION*

Case: In re Miguel G.
111 Cal.App.3d 345
(October 24, 1980)

Subject: Truancy detention and arrest of 16-year-old

Facts: A juvenile, walking in an alley at 9:45 a.m., was detained by police assigned to a "school car." Another youth in the police vehicle said, "He goes to Jefferson High School also." When asked why he was not in school, the juvenile answered he was on his way but was late. He had no note or other excuse. The police delivered him to the school counselor at the Operation Stay-In-School Center. There, the juvenile did not respond to instruction, seemed disoriented, and acted strangely. When the counselor's attention was diverted, the juvenile walked out of the facility.

The police were recalled. Subsequently the juvenile was found and arrested at the door of the facility for being under the influence of drugs. He was taken to the police station where he was booked. When he was searched, tin-foil wrapped PCP was discovered in his pocket.

Issues: 1. Was there probable cause to detain and arrest the juvenile in the alley and deliver him to school center?

2. Was being "late" a valid excuse which would exempt him from a truancy pick-up?

Holding: 1. Yes. Sixteen and seventeen-year-olds belong in school pursuant to construction and intent of Education Code sections 48200 and 48400, unless exempted by other Education Code provisions.

Peace officers are specifically empowered by Education Code sections 48264 and 48265 to pick up truants over one-half hour late to school and deliver them forthwith to specific people or a designated school center. The limited arrest, under section 48264, may not be used as a pretext for investigating criminal matters. (In re Jorge S., 74 Cal.App.3d 852.) Such arrest is only for the purpose of placing minors in a school setting as quickly as possible.

2. No. A minor must offer a valid excuse (akin to an affirmative defense) to defeat probable cause for a section 48264 arrest and delivery. Being "late" is not a valid excuse. The legislative scheme would be defeated by minors who could holler "I'm late" at any time during school hours.

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*Excerpt from Peace Officer Law Report, California Department of Justice, January 1981.